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1 **Douglas C. Fladseth** (Bar No. 083420)
2 **LAW OFFICE OF DOUGLAS C. FLADSETH**
3 **1160 North Dutton Avenue, Suite 180**
4 **Santa Rosa, California 95401**
5 **Telephone: (707) 545-2600**
6 **Fax: (707) 545-0552**
7 **fladseth@aol.com**

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

Northern District of California

CYNTHIA GUTIERREZ, JOSE HUERTA,
SMH, RH and AH,

Case No. 4:16-cv-02645-DMR

Plaintiffs,

**REQUEST FOR PRODUCTION OF
DOCUMENTS, SET ONE**

vs.

SANTA ROSA MEMORIAL HOSPITAL, ST.
JOSEPH HEALTH and DOES 1-50, inclusive.

Defendants.

PROPOUNDING PARTY : Plaintiffs, CYNTHIA GUTIERREZ, JOSE HUERTA, SMH, RH
and AH

RESPONDING PARTY: Defendants, SANTA ROSA MEMORIAL HOSPITAL and
ST. JOSEPH HEALTH

SET: ONE (1)

Demand is hereby made upon SANTA ROSA MEMORIAL HOSPITAL and ST. JOSEPH HEALTH pursuant to Code of Civil Procedure section 2031 that you produce and permit inspection and copying of the documents (and/or photographing, testing and sampling of other tangible things) described below. The place of inspection shall be the Law Office of Douglas C. Fladseth, 1160 North Dutton Avenue, Suite 180, Santa Rosa, California 95401. The

1 time for such inspection shall be 30 days from date of service and continuing so long as
2 reasonably required.

3 Said items are not privileged, are relevant to the subject matter of the action, are
4 reasonably calculated to discovery of admissible evidence pursuant to Code of Civil Procedure
5 section 2016(b), and are within the possession, custody or control of said parties.

6 You are required, pursuant to Code of Civil Procedure section 2031, to serve a written
7 response to this request within thirty (30) days after service on you.

8 The following is the designation of the documents (and/or tangible things) to be produced
9 for inspection as aforesaid.

10 **INSTRUCTIONS AND DEFINITIONS**

11 1. You are to produce all requested documents and items in your possession, custody
12 or control, or in the possession, custody or control of your employees, agents or attorneys. You
13 are required to return a verified response to this Request for Production of Documents itemizing
14 the documents you are producing and identifying the documents which you decline to produce.

15 2. If you identify a document and decline to produce it, for each document state the
16 reason the document will not be produced.

17 3. If any document is withheld from production under a claim of privilege, state for
18 each document:

19 (a) The identification of each document, including the date, author, addressee
20 and/or title.

21 (b) The identity of the specific privilege claimed in relation to the document;
22 and

23 (c) All facts upon which you base the claim of privilege.

24 4. The term "DOCUMENT" as used herein refers to all originals, copies where
25 originals are unavailable, of all written, recorded or graphic material, including all "WRITINGS"
26 as that term is defined in Evidence Code section 250, including but not limited to computer
27 printouts, programs on magnetic tape and programs stored in computer memory.

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1 **DOCUMENTS TO BE PRODUCED**

2 **Request No. 1:**

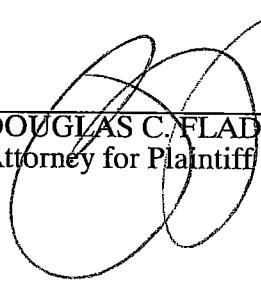
3 Any and all "writings" in any way related to this case regarding CYNTHIA GUTIERREZ
4 [as defined in Evidence Code § 250], including, but not limited to any and all paper, electronic,
5 digital, film & otherwise recorded or imaged information.

6 **Request No. 2:**

7 Any and all original records regarding CYNTHIA GUTIERREZ, including but not
8 limited to, medical records and charts, x-rays and x-ray reports, notes, correspondence, billings,
9 memoranda, facsimile and electronic transmission messages and including, but not limited to,
10 any and all WRITINGS, in their native format, regarding the Santa Rosa Memorial Hospital
11 Emergency visit record of CYNTHIA GUTIERREZ on February 25, 2015, including but not
12 limited to: any and all nursing assessments, nurses' notes, triage nursing, laboratory testing,
13 impressions, exit writer, consultations, and discharge instructions.

14 DATED: September 15, 2016

LAW OFFICES OF DOUGLAS C. FLADSETH

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16 
17 DOUGLAS C. FLADSETH
18 Attorney for Plaintiff

PROOF OF SERVICE

I, Kelly J. Mortensen, am a citizen of the United States and employed in Sonoma County, California. I am over the age of 18 years and not a party to the within action. My business address is 1160 North Dutton Avenue, Suite 180, Santa Rosa, California 95401. On this date, I served the following:

REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE

8 **BY MAIL** by depositing a true copy thereof in the U.S. mail in Santa Rosa, California, in
9 a postage paid envelope, addressed as set forth below:

10 **BY FAX** by transmitting a true copy thereof via facsimile to the person(s) set forth
11 below:

12 **BY OVERNIGHT DELIVERY** by depositing a true copy thereof in a FedEx receptacle
13 in Santa Rosa, California, in a postage paid envelope, addressed as set forth below:

14 **BY PERSONAL SERVICE** by personally delivering a true copy thereof to the person(s)
15 at the address set forth below:

16 **BY FAX** - In addition to service by mail as set forth above, a copy of said document was
17 also delivered by facsimile transmission to the addressee pursuant to Code of Civil
18 Procedure §1011.

19 **BY ELECTRONIC MAIL** by sending to the e-mail address(es) listed below:

BARRY VOGEL ESQ
BRETT SCHOEL ESQ
LA FOLLETTE JOHNSON ET AL
655 UNIVERSITY AVE STE 119
SACRAMENTO CA 95825
Facsimile: (916) 565-3704
bvogel@ljdfa.com
Bschoel@ljdfa.com

Attorneys for Defendants
SANTA ROSA MEMORIAL
HOSPITAL AND
ST JOSEPH HEALTH

I certify and declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed on September 6, 2016 at Santa Rosa, California.

Kelly J. Mortensen
KELLY J. MORTENSEN